

STATEMENT OF BASIS (AI No. 51920)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0118486 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Tidelands Seafood Co., Inc.
Post Office Box 99
Dulac, Louisiana 70353

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: March 13, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. LPDES permits – LA0118486

LPDES permit effective date: June 1, 2004

LPDES permit expiration date: May 31, 2009

C. Date Application Received: November 6, 2008**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - seafood processing plant**

Tidelands Seafood Co., Inc. is an existing seafood processing facility. The facility handles shrimp, crab, and fish. Shrimp are received, put into a washtank, graded, separated, packed in 5 pound boxes, and frozen for shipment to restaurants and wholesalers. Shrimp are deheaded but are not peeled. Fish are received, iced down, and shipped out whole. Crabs are received, the backs are removed, packed in 3 pound boxes, and frozen for shipment to wholesalers. Process wastewater (including water from wash tanks, water from washing down screens, graders, belts, and floor washdown water) is screened and discharged to Bayou Grand Caillou. Sanitary wastewater is treated by a treatment unit and discharged to Bayou Grand Caillou. The facility has requested the removal of Outfall 002 as it is no longer being used.

B. FEE RATE

1. Fee Rating Facility Type: minor

2. Complexity Type: I (BPJ to complexity of I because no processing done at facility)

3. Wastewater Type: II

4. SIC code: 2092

C. LOCATION - 7660 Grand Caillou Road, Dulac, Terrebonne Parish

Latitude 29° 23' 21", Longitude 90° 42' 51"

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3. OUTFALL INFORMATION

Outfall.001

Discharge Type: process wastewater
Treatment: screen filter
Location: at the point of discharge from the northeast corner of the facility
Flow: 6500 gpd
Discharge Route: pipe thence to Bayou Grand Caillou

Outfall 002

This outfall is being taken out of the permit as there is no longer a discharge from it.

Outfall 003

Discharge Type: treated sanitary wastewater
Treatment: sewage treatment plant
Location: at the point of discharge from the sewage treatment plant located on the southeast corner of the facility
Flow: 200 gpd
Discharge Route: pipe thence to Bayou Grand Caillou

4. RECEIVING WATERS

STREAM - pipe thence to Bayou Grand Caillou

BASIN AND SEGMENT - Terrebonne Basin, Segment 120502

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- e. oyster propagation

5. TMDL STATUS

Subsegment 120502 is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 120502 was previously listed as impaired for pathogen indicators, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

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The following TMDL's have been established for subsegment 120502:

The TMDL's for Fecal Coliform Bacteria, Chlorides, Sulfates, Total Dissolved Solids (TDS), Sediments, Total Suspended Solids (TSS), and Turbidity for Selected Subsegments in the Terrebonne Basin, Louisiana was completed on March 29, 2007. Tidelands Seafood Co., Inc. was listed as a point source discharge in the TMDL. The TMDL states that it is DEQ's policy to set wastewater permit limits no higher than end-of-pipe. It further states that as long as point source discharges of treated wastewater contain parameters at or below permit limits, there should not be an exceedance of the fecal coliform bacteria water quality criteria. Therefore, no change in permit limits is required.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Changes from previous permit:

- Outfall 002 has been removed from the permit.
- The limits for Outfall 003 have been updated in accordance with the reissuance of the Class I Sanitary Discharge General Permit, and the fecal coliform limit has been changed from weekly average to daily max. The monitoring frequency has also been changed from 1/6 months to quarterly.

7. COMPLIANCE HISTORY/COMMENTS

There have been no recent inspections at the facility. DMR's were submitted in accordance with the current permit with the exception of Outfall 002. The permit application states that Outfall 002 is no longer discharging. DMR's were reviewed for the period 1/07-12/08. The following is a list of excursions found:

DMR Review/Excursions -

Date	Parameter	Outfall	Reported Value	Permit Limits
6/08	Fecal Coliform	003	>6,000 col/100 mL	43 col/100 mL
12/08	Fecal Coliform	003	<5,200 col/100 mL	43 col/100 mL
6/07	Fecal Coliform	003	140 col/100 mL	43 col/100 mL

8. EXISTING EFFLUENT LIMITS

Outfall 001 - the continual, seasonal discharge of process wastewater

Outfall 002 - the intermittent discharge of process wastewater

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow - mgd	Report 1/quarter Est.	Report 1/quarter Est.
Oil & Grease	---	Report 1/quarter Grab

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BOD ₅	---	Report 1/quarter Grab
TSS	---	Report 1/quarter Grab
pH	6.0 - 9.0 s.u. 1/quarter Grab	

Outfall 003 – treated sanitary wastewater

Parameter	LPDES	
	Monthly Average	Weekly Average
Flow - mgd	Report 1/6 months Est.	Report 1/6 months Est.
BOD ₅	---	45 mg/L 1/6 months Grab
TSS	---	45 mg/L 1/6 months Grab
Fecal Coliform	---	43 col./100 mL 1/6 months Grab
pH	6.0 - 9.0 s.u. 1/6 months Grab	

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 120502 of the Terrebonne Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008, from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Tidelands Seafood Co., Inc.

1. Outfall 001 - process wastewater (estimated flow is 6500 gpd)

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	
Oil & Grease	---	Report	Similar discharges* (BPJ), LAG530000
BOD ₅	---	Report	Similar discharges* (BPJ), LAG530000
TSS	---	Report	Similar discharges* (BPJ), LAG530000
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges* (BPJ), LAG530000

Treatment: screen filter

Monitoring Frequency: quarterly for all parameters at the point of discharge from the northeast corner of the facility.

Limits Justification: Limits and monitoring frequencies are based on the previous permit, BPJ, and current guidance for similar discharges from other facilities.

This facility is not subject to the Seafood Processing Effluent Limitations Guidelines (ELGs): 40 CFR 408.122 - Subpart L (Southern Non-Breaded Shrimp, Subcategory - Best Practicable Control Technology Currently Available) which was promulgated in the Federal Register on December 1, 1975 because the facility does not process shrimp.

The facility is not subject to 40 CFR 408.22 - Subpart B (Conventional Blue Crab Processing, Subcategory - Best Practicable Control Technology Currently Available) because the facility processes under 3,000 lbs of crab on any day during the calendar year.

2. Outfall 003 - treated sanitary wastewater (estimated flow is 200 gpd)

Pollutant	Limitation		Reference
	Monthly Avg	Weekly Avg	
	mg/L		
Flow	---	Report	
BOD ₅	30	45	Similar discharges* (BPJ), LAG530000
TSS	30	45	Similar discharges* (BPJ), LAG530000
Fecal Coliform colonies/100ml	14	43 (Daily Max)	Similar discharges* (BPJ), LAG530000
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges* (BPJ), LAG530000

Treatment: sewage treatment plant

Monitoring Frequency: Quarterly for all parameters at the point of discharge from the sewage treatment plant located on the southeast corner of the facility prior to mixing with other waters. The monitoring frequency is being changed from 1/6 months to quarterly because of the excursions for this outfall.

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Limits Justification: Limits and monitoring frequencies are based on the previous permit, BPJ, current guidance for similar discharges from other industrial facilities, and the Class I Sanitary Discharge General Permit, LAG530000-effective November 1, 2007.

* Existing permits for similar outfalls
BPJ Best Professional Judgement
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 2092 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).